

PATENT
ATTORNEY DOCKET NO.: 030793-052100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Ronald W. MINK et al.) Group Art Unit: 1723
Application No.: 09/973,956) Examiner: D. SORKIN
Filed: October 11, 2001)
For: DEVICE FOR COLLECTION AND)
ASSAY OF ORAL FLUIDS)

RECEIVED
CENTRAL FAX CENTER

APR 02 2004

OFFICIAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

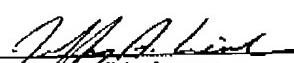
SUBMISSION OF ADDITIONAL DECLARATIONS IN SUPPORT OF APPLICANTS'
REQUEST FOR CORRECTION OF INVENTORSHIP
UNDER 37 C.F.R. 1.48

In further support of Applicants' Request for Correction of Inventorship, filed February 19, 2004, enclosed are newly executed Declarations of Co-Inventors Ronald W. Mink and Andrew S. Goldstein.

The Examiner is invited to contact the undersigned, should there be any questions or concerns.

Respectfully submitted,

By:


Jeffrey A. Linderman
Registration No. 34,658

Date: April 2, 2004

Customer No. 22204
NIXON PEABODY LLP
401 9th Street, N.W.
Washington, DC 20004
Telephone: 202-585-8350

Nixon Peabody LLP

Attorneys at Law

8180 Greensboro Drive
Suite 800
McLean, VA 22102
(703) 770-9300
Fax: (703) 770-9400

PRIVILEGE AND CONFIDENTIALITY NOTICE

The information in this fax is intended for the named recipients only. It contains privileged and confidential matter. If you have received this fax in error, please notify us immediately by a collect telephone call to (703) 770-9300 and return the original to the sender by mail. We will reimburse you for postage. Do not disclose the contents to anyone. Thank you.

FAX

1723

To:	Company	Fax #:	Telephone #:
1) D. Sorkin	USPTO / Art Unit 1723	703-872-9306	571-272-1148
2)			
3)			
4)			
5)			

INTERNATIONAL PHONE NUMBERS MUST INCLUDE COUNTRY & CITY CODE. SEE LOCAL WHITE PAGES FOR CODES NEEDED.

From: J.A. Lindeman	Date: April 2, 2004	No. of Pages: 8 (including this page)	US Serial No.: 09/973,9565
---------------------	---------------------	--	----------------------------

Comments: PLEASE MATCH WITH THE APPLICATION FILE

1. Transmittal;
2. Submission of Additional Declarations in Support of Applicants' Request for Correction of Inventorship Under 37 C.F.R. 1.48; and
3. Declarations of Ronald W. Mink and Andrew S. Goldstein.

RECEIVED
CENTRAL FAX CENTER
APR 02 2004
OFFICIAL

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office
Fax No. (703) 872-9306 on April 2, 2004.

Linda C. Haynes

Original of the transmitted document will be sent by:

 First Class Mail Overnight Mail Hand Delivery This transmission will be the only form of delivery of this document

From: Jeffrey A. Lindeman	Date: April 2, 2004	No. of Pages: 8 (including this page)	Client/Matter: 030793-052100
---------------------------	---------------------	--	------------------------------

NVA277894.1

Please type a plus sign (+) inside this box → [+]

PTO/SB/21 (08-00)

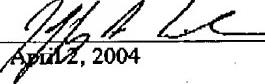
Approved for use through 10/31/2002. OMB 0651-0031

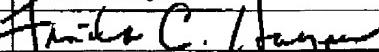
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number 09/973,956
		Filing Date October 11, 2001
		First Named Inventor Ronald W. MINK et al.
		Group Art Unit 1723
		Examiner Name D. SORKIN
Total Number of Pages in This Submission	7	Attorney Docket Number 030793-052100

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input checked="" type="checkbox"/> Declarations of Ronald W. Mink and Andrew S. Goldstein <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input checked="" type="checkbox"/> Other Submission of Additional Declarations in Support of Applicants' Request for Correction of Inventorship Under 37 C.F.R. 1.48
Remarks <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Jeffrey A. Linderman, Reg. No. 34,658 Nixon Peabody LLP 401 9 th Street, N.W. Suite 900 Washington, D.C. 20004-2128
Signature	
Date	April 2, 2004

CERTIFICATE OF TRANSMISSION	
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at 703-872-9306, on April 2, 2004.	
Type or printed name	Linda C. Haynes
Signature	
Date April 2, 2004	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, VA 22313-1450.

**DECLARATION FOR UTILITY OR
DESIGN PATENT APPLICATION
(37 CFR 1.63)**

Declaration Submitted With Initial Filing

Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(e)) required)

Attorney Docket Number	030793-052100
First Named Inventor	Ronald W. MINK
COMPLETE IF KNOWN	
Application Number	09/973,956
Filing Date	October 11, 2001
Art Unit	1723
Examiner Name	David L. SORKIN

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original and inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

DEVICE FOR COLLECTION AND ASSAY OF ORAL FLUIDS

(Title of the Invention)

the specification of which

is attached hereto
OR

was filed on (MM/DD/YYYY)

10/11/2001

as United States Application Number or PCT International

Application Number

09/973,956

and was amended on (MM/DD/YYYY)

06/24/2002,
02/27/2003,
08/25/2003, and
10/27/2003

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached YES NO
			<input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

W299736.1

DECLARATION – Utility or Design Patent Application

Direct all correspondence to: Customer Number or Bar Code Label 22204 OR Correspondence address below

Name

Address

City

State

ZIP

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:

 A petition has been filed for this unsigned inventorGiven Name
(First and middle [if any])

Ronald W.

Family Name
or Surname

MINIK

Inventor's
Signature

Date

Residence: City West Linn

State: Oregon

Country: USA

Citizenship: United States

Mailing Address: 19886 Bellevue Way

City: West Linn

State: Oregon

ZIP: 97068

Country: USA

NAME OF SECOND INVENTOR:

 A petition has been filed for this unsigned inventorGiven Name
(First and middle [if any])

Andrew S.

Family Name
or Surname

GOLDSTEIN

Inventor's
Signature

Date

3/24/04

Residence: City

State: Oregon

Country: USA

Citizenship: United States

Mailing Address: 7260 SW Ascot Court

City: Portland

State: Oregon

ZIP: 97225

Country: USA

 Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

[Page 2 of 3]

W299736.1

DECLARATION		ADDITIONAL INVENTOR(S) Supplemental Sheet Page 3 of 3	
Name of Additional Joint Inventor, if any:	<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])	Family Name or Surname		
Robert C.	BOHANNON		
Inventor's Signature	Date		
Residence: City: Lakeside	State: Arizona	Country: USA	Citizenship: United States
Mailing Address: 2503 Pine Circle			
Mailing Address:			
City: Lakeside	State: Arizona	ZIP: 85919	Country: USA
Name of Additional Joint Inventor, if any:	<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])	Family Name or Surname		
Inventor's Signature	Date		
Residence: City:	State:	Country:	Citizenship:
Mailing Address:			
Mailing Address:			
City:	State:	ZIP:	Country:
Name of Additional Joint Inventor, if any:	<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])	Family Name or Surname		
Inventor's Signature	Date		
Residence: City:	State:	Country:	Citizenship:
Mailing Address:			
Mailing Address:			
City:	State:	ZIP:	Country:

W299736.1

DECLARATION – Supplemental Priority Data Sheet

Additional foreign applications:

W299736.1

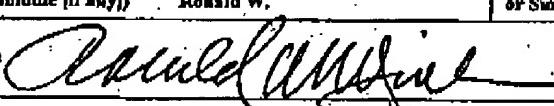
APR. 2, 2004 5:29PM
4-02-2004 11:29AM

NIXON PEABODY
FROM CREATIVE BIOSOLUTION 5036380668

NO. 1550 P. 8

P. 2

DECLARATION – Utility or Design Patent Application

Direct all correspondence to: <input checked="" type="checkbox"/>		Customer Number or Bar Code Label:	22204	OR <input type="checkbox"/>	Correspondence address below
Name					
Address					
City		State		ZIP	
Country		Telephone		Fax	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.					
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any]) Ronald W.		Family Name or Surname MUNK			
Inventor's Signature 		Date			
Residence: City West Linn		State: Oregon		Country: USA	
Mailing Address: 19850 Bellevue Way 2070 S.W. Messy BEAG Rd		Citizenship: United States			
City: West Linn		State: Oregon		ZIP: 97068	
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any]) Andrew S.		Family Name or Surname GOLDSTEIN			
Inventor's Signature		Date			
Residence: City		State: Oregon		Country: USA	
Mailing Address: 7260 SW Axot Court		Citizenship: United States			
City: Portland		State: Oregon		ZIP: 97225	
<input checked="" type="checkbox"/> Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.					

[Page 2 of 3]

W299736.1

PAGE 8/8 * RCVD AT 4/2/2004 4:24:28 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/2 * DNIS:8729306 * CSID: * DURATION (mm:ss):02:00